XII

A BILL TO AMEND THE MADRAS CITY MUNICIPAL ACT.

Dr. B. S. MALLAYYA :—" Mr. President, I beg leave to introduce a Bill to amend section 129 (1) of the Madras City Municipal Act."

Mr. C. S. GOVINDARAJA MUDALIYAR :—" I second it."

* The hon. the PRESIDENT (after a pause) :—" I take it the Government is not opposing. The question is that Dr. B. S. Mallayya be given leave to introduce a Bill to amend the Madras City Municipal Act. "

The question was put and the motion carried.

XIII

A BILL TO AMEND THE MADRAS ABKARI ACT.

Mr. J. A. SALDANHA :—" Sir, I move for leave to introduce a Bill to amend the Madras Abkari Act."

Mr. P. ANJANEYULU :—" I second it.

* The hon. the PRESIDENT :—" Does the hon. the Minister object ? "

The hon. Mr. S. MUTHIAH MUDALIYAR :—" I do not object, Sir."

* The hon. the PRESIDENT :—" The question is that Mr. J. A. Saldanha be given leave to introduce a Bill to amend the Madras Abkari Act."

The question was put and the motion carried.

Mr. J. A. SALDANHA :—" I beg now to introduce the Bill."

XIV

BILL TO AMEND THE MADRAS HINDU RELIGIOUS ENDOWMENTS ACT, 1926.

Dr. (Mrs.) S. MUTHULAKSHMI REDDI :—" Sir, I move for leave to introduce a Bill to amend the Madras Hindu Religious Endowments Act, 1926."

Rao Bahadur B. MUNISWAMI NAYUDU :—" I beg to second it."

* The hon. the PRESIDENT :—" Does the Government propose to object ? (After a pause.) The question is that the hon. Member, Dr. Muthulakshmi Reddi be given leave to introduce a Bill to amend the Madras Hindu Religious Endowments Act, 1926."

The question was put and the motion carried.

*Dr. (Mrs.) S. MUTHULAKSHMI REDDI :—" I beg to introduce the Bill."

XV

MOTIONS ON MATTERS OF GENERAL PUBLIC INTEREST.

COMMITTEE TO ENQUIRE INTO THE GRIEVANCES OF RYOTS IN FOREST AREAS.

* Mr. K. R. KARANT :—" Mr. President, Sir, I beg to move the resolution which stands in my name, viz.,

'*That this Council recommends to the Government to appoint a committee of the Members of this Council to enquire and investigate into the alleged grievances and hardships of the ryots in the Forest areas of the*

5th September 1928] [Mr. K. R. Karant]

province in regard to the administration of the Forest department and also into the alleged abuse of privileges by the ryots and suggest remedies to redress grievances and stop abuses and also to suggest any change that may be necessary in the forest policy of the Government.'

"Now, Sir, it was in 1882 that the Forest Act was passed, and since then I may say that the miseries of the agricultural classes have been increasing in almost every district where there are reserved forests, by leaps and bounds, and I am sorry to say that in all these years, though nearly fifty years have passed, nothing tangible has been done to find out what those grievances are or to devise remedies for them. In February 1923, Sir, it was my hon. Friend Mr. Muniswami Nayudu who moved a resolution to the effect that a committee of this House may be appointed to make an enquiry and to put off the reserve line by one mile from the limits of private property. That resolution was passed. But I am afraid no action has been taken at all on this matter.

(At this stage the hon. the Deputy President took the Chair.)

"I propose, Madam, to place before this House, as far as I have been able to make out, the various grievances, at any rate, such of them as I know intimately in my own district, and I am sure that, excepting for details here and there, those grievances are universal in the whole Presidency. Now, in my district, Madam, with a rainfall of over 150 inches a year, there was a practice prior to 1880 of burning all overgrowth around for what is known as "kumri" cultivation. By those means, the overgrowth of forests was limited, and the forests in olden days did not appear to give so much trouble to the cultivators. But since the passing of the Act of 1882, this has been stopped altogether with the result that the forests in the West Coast—I am sure the hon. the Law Member who is in charge of the subject knows this very well—the forests have become very dense, and the conditions of life in the interior parts of my district and of Malabar are becoming almost intolerable. I shall state before this House some particular instances to show how the ryots are suffering by the policy of the department.

"Now, first, the chief grievance is that the boundaries of the reserves in my district, which consist of about 800 square miles, run too close to private property. I will only give some instances, not very many but a few, so that the hon. the Law Member may know that it is not simply as a theory that I am stating this but with reference to actual facts and figures. In a village called Kaukradi in Puttur taluk, which is full of forests, in survey No. 8, which I have seen, the reserve line is barely ten yards from private property. In survey No. 52 where I have examined the survey stones, one portion of the survey number is actually within the forest line, and the owner of this land has been paying assessment for the last twenty years without raising any crops on that land, and the whole field has been lying fallow. Then, in another village, Mundaje, in the same taluk, the reserve boundary is only 70 yards from an areca garden, and the whole of it is useless for cultivation. Then survey No. 10 is 30 yards from the boundary. Then there are other fields very near the boundary. I took some statistics which show that out of a total of 328 acres of wet land at the time of settlement in 1882, as many as 95 acres are now lying fallow in that village on account of the impossibility of raising any crops in those areas.

"Now, these conditions are not peculiar to those two villages, from which I have given figures, but to almost every village in which we have got the

[Mr. K. R. Karant] [5th September 1928

reserves. It is eminently desirable that, instead of the Government simply keeping silent when such serious grievances are brought to their notice, a committee should be appointed to take statistics in all those areas where there are reserve forests to see how far the raising of crops and the interests of agriculture are affected and how far conditions of life are being interfered with.

"Then, the next question which is equally important for agriculture is the question of cattle. In my district, at any rate, in all the interior taluks, the cows are not reared for their milk because milk is a thing which is unknown as an article of diet to most of those people—as they cannot afford to have it being too poor—but they are reared for the purpose of getting manure. Each man has got about ten or fifteen head of cattle, and, for these a large amount of leaf manure is required from the forest for cultivation. I am sure this condition is very much the same in other districts also. These cattle require very badly pasture grounds. The question of pasture grounds has, unfortunately, not at all been considered by the Agricultural department or the hon. the Minister, who is not now paying any attention to the debate in this House. In spite of the Agricultural department, which has been in existence since 1920, I may assure my hon. Friend the Minister over there that nothing has been done by him or his department in the matter of the grazing grounds. I can give some facts and figures on this point. In my district, in the coastal parts lands which are badly needed for grazing are being assigned away to the depressed classes, and I hope my hon. Friends representing the depressed classes will bear me no grudge for saying this, the depressed classes take assignments, and, as was given in answer to some question put recently on the floor of this House, they are not utilizing them for want of funds on account of the worthlessness of the plots That is the way in which the Government is helping agriculture. Since 1920, nothing has been done to separate the grazing lands and the cultivable areas from the reserves and to see that real facilities are given to agriculturists. Then we have the time-old system of permits. The fees have now been raised to almost double the rates of what they were two years ago. Then we have got the fee for impounding, and these fees have been raised four times.

12-30 p.m. "Speaking of cattle the ravages of wild beasts in my district is simply heart-rending. The number destroyed is 3,590 in 1924, 3,418 in 1925 and 4,250 in 1926. Every year several thousands of rupees worth of cattle are lost. Can the Government congratulate itself on this horrible state of affairs? Then there are several restrictions on the movement of cattle from one block to another though there is no dividing line between the two and though both of them are in the same range. If a cow strays into another block than its own then come the penalties under the Forest Act. It seems to me, Madam, that most of these things are worked in the most inhuman and impractical way without taking into consideration the feelings and the needs of the ryots.

"Then again the Forest department carries on certain experiments very indiscriminately in regeneration. They have begun this regeneration in reserves which are badly needed for grazing ground for the village. In some instances the whole area has been enclosed and there is no grazing ground at all for the ryots. I have found such an instance in the village of Mundaje in the Puttur taluk. If the Forest department had some imagination,

5th September 1928] [Mr. K. R. Karant]

they could have carried on their experiments at some other place without disturbing the grazing grounds of the village. There is a great need for separating these cultivable areas. While on this question I should just like to refer a few passages in the evidence given by Mr. Tireman, the late Conservator of Forests, before the Royal Commission on Agriculture in India. Says he :—

'If I am correct in thinking that this impression does exist, I think the reason for it is the fact that in this Presidency particularly, and, I think, to a certain extent in the rest of India there are large tracts of land which are called forest reserves, but which are really nothing more or less than grazing reserves. They are called forests, merely because they have a few trees on them. When they were reserved, I think I am right in saying that there was no Agricultural department, or it was a small one. It was forty or fifty years ago; and in the absence of the Agricultural department, the Forest department was naturally the one which was considered most suitable to administer these big tracts. These grazing grounds were very largely in the public eye and their administration and management was considered as one of the most important duties of the Forest department. I think we managed these areas fairly efficiently, but the fact that we bad to pay so much attention to them led to the neglect of what in my opinion is our legitimate duty, that is, the looking after and the administration of the big timber forests of which in this Presidency there are very considerable areas of very great potential value. . . '

"Based on this evidence the Royal Commission made certain recommendations. Before the hon. Minister goes to the Conference at Simla I think i would be better if he considers this question which intimately touches the needs of the Agricultural department and the people. I read from page 269 of the Report of the Commission :—

'Forty or fifty years ago, when there were forest departments, but no agricultural departments, and when the problems arising out of the pressure of population on the soil and the necessity for cattle improvement had not assumed the importance they now possess it was natural that the forest departments should be regarded as the only departments capable of turning to advantageous use large areas of State land which were lying neglected and which were not required for cultivation. The result was that the time has come when a systematic reclassification of this type of land is required. The ideal to be aimed at in all provinces is to distinguish between land which is suitable for the growth of good timber trees or for fuel plantations (including land, the preservation of which under forests is desirable on climatic or physical grounds) land which is suitable neither for timber fuel plantations, nor for ordinary cultivation, but may possess possibilities for development as fodder reserves and grazing grounds, and land which is suitable for ordinary cultivation.'

"Nothing has been at all done in regard to this so far as my district is concerned and I am sure other hon. Members will be in a position to speak whether anything has been done in theirs. It may be said on behalf of the Government that they have excluded 3,000 square miles out of the total area of about 19,000 square miles for panchayat management. This was done about 1910 or 1912. Now this is not at all sufficient to meet the new requirements of the agricultural needs of the people. If the object is to make profit for the department and to conserve the forests for climatic and other purposes, even then, there is a good deal yet to be separated and I think the hon. Member in charge will do something in the matter and see that some more areas which are really unfit for forests from the forests point of view will be separated and not satisfy himself with the 3,000 square miles. This area is hardly sufficient.

"Then, Madam, some concessions have been given in my district in the matter of supply of fuel and leaves for manure. I think they are also extended to other districts. Now, if a larger area of these forests are separated then many of these problems would be automatically solved. Most of the people in our district are not fully aware of these concessions. Only the other day I had a letter from the patel of a village stating that he was unaware of

[Mr. K. R. Karant] [5th September 1928

any concessions and asking me to supply him with copy of them. These notifications regarding the concessions are simply printed in the District Gazettes and *Fort St. George Gazette* and they are never made known to the people. Further, Madam, these people are not allowed to remove leaves from classified trees. And every possible tree is classified. I find in all 34 classes of trees have been taken as classified trees. If one goes round a forest, it would be difficult to come across a tree which is not classified. That only shows that the department is working without any relation to the needs of the people.

" Then, again, wherever the forest line comes, the people are not allowed to enjoy their kumki privileges. I shall explain what is meant by this. For certain private lands in my district a margin of 100 yards is allowed and the owners of the lands are allowed to take leaves, etc., from these lands. But now the owners are prevented from enjoying the kumki privileges wherever the forest line comes near the land. This is another question which the proposed committee should inquire into.

" There is also a great scarcity of labour in the interior parts of the district where there are these forests, which are becoming more and more dense. Malaria is increasing by leaps and bounds and I wish to place certain facts before the House regarding this. The people find that cultivation is not a paying proposition and conditions of life in almost all the villages adjoining the reserves are becoming almost intolerable. The census statistics of 1911 and 1921 go to show that the population in such areas are distinctly declining. The decrease in population is due to the best of my knowledge to the increase in the density of the forests and conditions favourable for the spread of malaria. I wish to draw the attention of the hon. the Law Member to the answer to my question No. 411 put at the meeting of the Council on the 19th March 1927 (page 509 of the report), which shows that the number of patients treated for malaria in the medical institutions of South Kanara district rose from 22,570 in 1922 to 59,183 in 1926. It is not a casual increase. The figures show that the increase has been steadily going on and serious attention should be bestowed on the matter.

" Then, there is the question of roads and pathways passing through these forests. People are not allowed to cut the undergrowth on either side of these nor do the department themselves do it. In certain roads carts cannot pass in the night on account of the fear of tigers. There are various other matters like the granting of licences for hunting, the question of the use of water going to waste in the forests but which could be fruitfully utilized by the ryots. And now, I ask, what is the result of all this policy of the Forest department. I would only ask whether the net profit made by the department warrants all the trouble undergone by the people. In spite of the fact that the department has been working since 1882, i.e., for over half a century, if you take the forest report of any year in any district or range it will be found that a considerable portion of the revenue is from the grazing fees. Is it the main object of the Forest department to make money out of grazing fees? In my own district the department has been working at a loss in spite of the existence of 800 square miles of area and splendid forests. The income for 1926–27 is Rs. 2,00,376 and expenditure Rs. 2,58,061. Loss Rs. 57,685.

5th September 1928] [Mr. K. R. Karant]

" To some extent, it cannot be denied that the people also have not been using the privilges given to them fairly. This is a matter worth investigation by a committee. Considering all things it is imperative that a committee of this House, or some committee commanding the confidence of this House and consisting of its members should be appointed to consider this question in all its aspects and see if the forest policy cannot be altered and overhauled entirely? In the last few months, some other Government in Northern India also have appointed a similar committee to consider their forest policy, though I do not now remember the name of the province. I have not exaggerated the grievances, I have mentioned. I have verified them personally and I hope that the Government would accept this resolution and that the hon. Members would give their support. The question is one of life and death for the people. Let the Government take note of it ! "

* Mr. G. HARISARVOTTAMA RAO :—" Madam, Deputy President, I have 12-45 p.m. great pleasure in seconding the resolution of my friend from South Kanara. The Forest Act is a very bad Act; it is one of the Acts that have been grinding down the ryot. I belong to a district, as is so well known to the members of this House, that abounds in forests and Forest officers. The Forest Act is so exclusively repressive that its administration has been very badly done. I concede that some restriction is necessary if our forests have to be conserved. I have no hesitation in saying that a law has to exist on the subject. But the existing law is so entirely repressive that the administration of it has called for a great deal of comment on the flooor of this House and elsewhere. I have myself been responsible for a number of questions and the present Law Member is aware how answers were given to me, when he was on this side of the House. The forest policy of the Government has been stated in the Appendix to the Forest Code of India. I shall give one or two extracts from that particular publication so that I may bring home to the hon. the Law Member what exactly has to be done in the matter: 'The sole object with which the State forests are administered is the public benefit. The constitution and preservation of forests involves greatly restriction of rights and regulations of user. These restrictions and regulations are justified only (I want this to be noted) when the advantage gained by the public is great.' Again, 'the needs of communities dwelling on the margins of forest tracts consist in small timber and fuel and fodder, grass for cattle and edible forest produce for their own consumption. Every facility should be afforded for the full and easy satisfaction of the needs of the ryot. It should be distinctly understood that considerations of forest income are to be subordinated to that satisfaction.' I challenge the department to say that they are following this policy in the administration of forests, at any rate in my district. These aims are observed more in the breach than in the fulfilment. Every possible obstacle is put in the way of the ryot. Only recently there was a case of such restraint in my district. Take the question of agricultural implements. The department has consistently followed a policy of restricting the right of the cultivator to get his agricultural implements freely. There are thirteen depots in Kurnool East. Of these thirteen to a question of mine the reply came that only five stocked anything at all worth the name as implements. Out of the five there was one depot which stocked only a few out of eleven varieties I had listed. I learnt later on that the District officer has issued a notification saying that the Forest

department would not manufacture further agricultural implements except on a tender being sent by the cultivator and except to a very limited extent which they have just undertaken. With these restrictions, the ryot is simply helpless.

"My friend raised the question of classification. I concede that recently there has been some change in the Government policy in the matter of classification. Mr. Tireman had influenced the Government policy in the matter of classification, but his influence has also been minimized by the Forest department. Mr. Tireman and Mr. Whitehead made certain recommendations with regard to certain forests in my district. They said that three classes of forests should be established, the second class being reserved for handing over to the ryots at a later stage. But the department turned down the proposal and the Government accepted it. Now it is evident that the Forest department has got certain vested interests which affect the privileges of the subject. The Government cannot ignore the fact. That vested interest is used to the disadvantage of the cultivator. Therefore it is incumbent upon the Government to examine carefully from time to time how far the administration is helpful to the ryot.

"I will only mention another fact, that is, with reference to the boundary line, of the forest reserves. On the floor of the House the hon. the Home Member who was then in charge of forests, gave me information that in my district there were about 250 villages whose village-sites or cultivation area lay within half a mile of reserved forests. The Government accepted at one time in a Government Order that any boundary which was within one mile of the village-site should be removed further, but such removal has not taken place. I have enquired from time to time whether any removal of such boundaries has been done to any appreciable extent, from 1926 onwards. It has been proved on the floor of the House that it has not been carried out. Proposals made by Government officers themselves, high-placed officers and experts, are turned down by the department. The suggestions accepted by the Government itself are not carried in practice and the ryot is put to a thousand and one inconveniences. For instance, under the law, when a ryot is accused of an offence, his cart would be taken away, his bulls would be taken away and other things are taken away and they are not returned for a long time and the cultivator suffers. The low-paid official has power to harass the cultivator to a very large degree. Therefore, I appeal to the House to see that this committee is appointed. The committee is necessary and more than necessary and has been long overdue. I believe the hon. the Law Member will accept this motion and will help to ease the situation which is fraught with very great dangers to the ryots on account of the repressive Act that exists in operation."

Mr. Daniel Thomas :—"Madam, I have great pleasure in supporting the resolution brought forward by my friend from South Kanara. It appears to me that the administration of the Forest department is becoming a growing evil. I am acquainted directly with the conditions of forest administration in my own district of Tinnevelly and I am sorry I have to state on the floor of the House that that administration is calculated to give the greatest trouble to the ryots and the people of the district. The southern portion of the district comprises a large area of desert sands. There is no forest, it is only full of thorny shrubs. How this region came to be included

5th September 1928] [Mr. Daniel Thomas]

in the forest area I am not able to understand. It is more or less a misuse of the term. This region need not be reserved as forest but may be left to the administration of the Revenue department. As a matter of fact, the villagers adjoining this arid region graze their cattle there. Recently an order has been passed by the Conservator of Forests taking away the privileges of the ryots to graze their cattle there. I know of a village known as Nalmavadi in Tiruchendur taluk. That is bounded on three sides by wet fields and on one side there is the forest. From the other three sides cattle cannot get in, for, the moment they got in they will be driven by the ryots or caught and taken to the pound. But by the rules of the Forest department they cannot enter by the forest side. The villagers showed me the place and actually demonstrated how the cattle were imprisoned within the limits of the house buildings. The cattle are unable to stir out from the limits of the dwellings of the people of that village. Whereas on the one hand the Government are willing to encourage agriculture and provide facilities for it, on the other, by the administration of the Forest department, the cattle which is the very essence and life blood of the agriculturist, are being starved. The people complain that they cannot maintain their livestock under the present conditions and in the end they will have to give up their agricultural pursuits. That is the position. In the western parts of Tinnevelly there are some hilly regions. The pasturage on the hills is three, four or five miles from the limits of the villages. The ryots have to take a grazing licence for taking their cattle up those hills. Formerly the cattle of these neighbouring villages were allowed to stay over night in those areas. Recently I understand, rules have been passed insisting that the ryot should take his cattle to the pasturage and bring them back to the plains the same evening. So that every day these cattle are made to march four to five miles in the morning and the same distance in the evening.

" Under these circumstances, the ryots complain that it is impossible for them to take their cattle to the pasturage and find adequate pasture. It appears to me that it is the duty incumbent upon this House to form a committee to investigate into the conditions under which the Forest department are carrying on their administration, to find out the grievances of the ryots in connexion with the forest administration and to try to find out the means by which any possible damage to the forest areas may be avoided. As Mr. Karant rightly pointed out there are no doubt cases in which the rights conferred upon the ryots are abused, but that is no reason why the whole community of ryots should be made to forego the rights for pasturage. That appears to me a wrong method of procedure. 1 p.m.

" As regards the administration of the Forest Act again, there is room for complaint Recently when I was sitting in a magistrate's court in connexion with my professional business I found two young girls of about eight years brought to the court charged with the offence of stealing forest produce. These girls had while playing near the limits of the forest reserve strayed into the reserve and picked up some பனமட்டை and it is for this that they were charged. They had not even the whole of a *panamaitai*, but had only portions of the stalks. The Forest officer who enquired into the case fined each of these two little girls Rs. 4. The department estimated the worth of the articles removed at As. 2 although I believe the actual worth would not be more than one anna and yet, for removing 2 annas worth of articles these two little ragged and starving girls were put before the court as they did

[Mr. Daniel Thomas] [5th September 1928

not pay the compensation amount of Rs. 4 per head. I understand that the Magisterial department of the Government is also co-operating with the Forest department in these matters. I learn that a circular has been issued by District Magistrates to all subordinate magistrates that the amount of fine to be inflicted in these cases should not be less than the amount of compensation which the forest officer orders. So that, Sir, the elementary right of courts to judge the penalties according to the circumstances of the cases is taken away by means of circulars of this kind and, even if a magistrate finds that he cannot impose a fine of Rs. 4 he has to impose that fine as his hands are tied. I believe these facts are such as to call for urgent and immediate remedial measures. I therefore heartily commend the proposition of my hon. Friend for the support of this House."

Mr. V. I. MUNISWAMI PILLAI :—" Sir, I heartily support the resolution of my hon. Friend Mr. Karant. The condition of the ryots has been described by my previous speakers. But coming as I do from the Nilgiris where I have had opportunities of seeing at first hand the difficulties of the ryots, especially the depressed classes who live on the borders of reserved forests, I wish to say a few words. I believe the time has come when a committee should be appointed to go into the question of affording facilities for the ryots. Madam, to start with, I may say that there are forest panchayats in various districts, but even that is denied to the Nilgiris. I do not know the reason why the Nilgiris is excluded from the advantage of having a forest panchayat. In the Nilgiris the Arundhateeyas were enjoying the privilege of getting firewood and building materials free and that is almost denied to them now. The ryots have to wait on the forest rangers for hours together to get permits. Though the value of the permit is only one or two annas the ryots have to wait at the ranger's office for hours together and in consequ ence lose a day's wages.

" Coming to the plains, I understand, Madam, that the people in the North Arcot district do not get free grazing in the non-rainy season and their cattle have to starve. This is a great hardship.

" Another important thing I wish to mention in this connexion is that many of our depressed classes members who applied for lands to the Revenue department have been told by that department that no lands are available. There are instances in the North Arcot district where our people in large groups applied to the District Collector to disafforest certain forest areas and were told by the Revenue officials that unless all the lands available are exhausted they could not see their way to disafforest lands. From this, Madam, you will see what amount of inconvenience is caused to the poor ryots.

" The next point I wish to mention is that the Forest department does not allow fuel to be carried in headloads. If this is not allowed the fuel in inaccessible places would get spoiled and it will be of no value to anybody. I think the time has come when the Government should see its way to grant free access to our people to the forests to enable them to bring headloads of fuel and sell it for making a living. There are many more instances of hardship caused to our people by the forest administration; but I do not want to take up the time of the House by enumerating them in detail. I hope the hon. the Law Member will accept the resolution and give facilities especially to the depressed class ryots who are in great difficulty in these matters."

5th September 1928]

Mr. R. NAGAN GOWDA :—" Madam, I wish to say just a few words on one or two points which have not been touched by the hon. Mover. One of the grievances of the ryots against the administration of the Forest department is that the forests in certain areas have been denuded of trees. This denudation robs those areas of sufficient rainfall. An instance in point is the Ceded districts. I wish to urge upon this House the necessity for appointing a committee to enquire into the methods that can be adopted to reforest these areas.

" Another point I wish to mention is about the trouble between the ryots and the watchmen. In the forest areas the watchmen of the Forest department come across innocent and ignorant ryots and in any trouble between them the former has the advantage. This point also ought to be taken into consideration by the committee. One of the best ways of bringing about amicable relations between the ryots and the Forest department is to hand over these forests to forest panchayats. In those parts of the country where there are forest panchayats these difficulties do not exist.

" Another thing to be remembered by the committee is the trouble given to the ryots by the wild animals. Mr. G. Harisarvottama Rao was speaking about the distance between the villages and the forests. In areas where the villages adjoin the forests the villagers should be given more gun licence. And they should be allowed to go into the forests to chase the animals. With these observations I heartily support the resolution."

* Diwan Bahadur P. KESAVA PILLAI :—" Madam, I should like to say a few words on this question. We have heard about a circular issued by District Magistrates to the subordinate magistracy to the effect that they should not levy fines less than the compound fees fixed by the Forest department. I thought that such things have disappeared after the enquiry and report by the Forest Committee. I am afraid I have been living in a fool's paradise. (Mr. C. V. Venkataramana Ayyangar :—' Hear, hear '.) I know that in my district after the abolition of the reserve forests and the constitution of forest panchayats, things are managed on the whole very satisfactorily. The Chief Conservator is a very sympathetic officer and he has been trying to encourage the formation of forest panchayats. But in other districts I see that the ryots are put to considerable difficulties and dragged to court, fined and in default imprisoned. I think the hon. Member in charge knows better than any of us these difficulties of the people in some of the outlying areas where the rules are rigorously enforced. We have been trying to popularize and make people take interest in the forests adjoining their villages. I think the committee ought to be appointed and enquiry made. Madam, for some time no public opinion has been directed against this 1-15
question. The privileges given are being literally taken away and the Forest p.m.
department is encroaching on the rights of the people. All sandy wastes are being brought into the forest area so that fees may be collected from the people, treating them as grazing grounds. The evidence taken by the Forest Committee in Madura and other districts reveals the old state of affairs. On several occasions I had brought these things to the notice of the Government and on every occasion I bombarded the Government, they had to admit several things and finally they appointed the Forest Committee and then promised to carry out the committee's recommendations. How far they have carried out their promise we have yet to see. I have always

[Mr. P. Kesava Pillai] [5th September 1928

found that the officers of the Forest department are hard-hearted when they are face to face with the people. The hon. Mr. Horne, the Chairman of the Forest Committee, was a very hard-hearted man but he was one of the best champions after the committee's enquiry was completed, of the Forest Panchayat system. I have no fear even if a Revenue official is put on the proposed committee. But what is most essential is now to appoint a committee of officials and non-officials to investigate as to how the recommendtions of the Forest Committee should be carried out and how far the privileges given to the people originally have been taken away. Of course, the hon. the Law Member, the Member in charge, will see that no circulars are sent to the Magistrates by the District Magistrates according to the old state of things. I hope that the Government will make a statement that they will appoint a committee."

* Mr. J. A. SALDANHA :—"I shall be very brief in my remarks. I affirm everything that has been said about the policy, the repressive policy and the destructive policy of the forest administration. I admit that the Forest department has done a lot in conserving these forests and also in regeneration. But I am sorry to remark that in this conservation and regeneration the Government want to ignore the effect of exuberant growth of useless shrubs which tend to increase the malaria and also the increase of wild animals. That fact is very much to be observed. These forests while attracting moisture also absorbs it and the district officer had to admit it. The tanks and wells in villages which used to be with plenty of water are now completely dry. These forests have not increased the rain but they have absorbed the moisture and tended to make the fields and other places in the villages dry. I would mention that in a village—of course the hon. Mr. Moir knows these villages—where the people spent some eighty thousand rupees for building a church they are now unable even to repair the church. Such is the condition of poverty in villages. Places where there used to be green orchards are now filled with wild animals. It is from these villages we used to get our ghee. At present we can hardly get even the required quantity of ghee for our requirements. There were tens of thousands of cattle in the village of Hospet and in two other villages in the neighbourhood. At present there are not more than three hundred head of cattle. We went from village to village and we found most of the cow-sheds empty because all the cattle had been carried away by wild animals. What is the remedy ? I put questions in the Council and I had talk with the hon. the Home Member about the looseness and the extravagance of the department, pointing out that this Government has been a slave to certain formulas and antiquated ideas which render it impossible for the people in the villages to get on with their cultivation. Now it has been proposed that many of these useless forests should be handed over to the panchayats—under what department—under the Revenue Department, the Collector or the tahsildar who are not sympathetic to the people. These tahsildars are very regular in collecting the rent. But they are rarely so in regard to the villagers' happiness and contentment. So I would place panchayats under the administration of the Development Department. I am sorry the hon. the Minister for Development is not here. The Ministers and Members in charge of the Agricultural Department or the Revenue Department ought to be here. If the hon. the Revenue Member had been here, I would have warned him that

5th September 1928] [Mr. J. A. Saldanha]

there will be a time when people will refuse to pay their taxes because of the hardships caused by the forest policy of the Government. When I toured round these villages with a District Forest Officer the villagers came to us and spoke thus: 'If you do not remedy our grievances we are not going to pay the tax. What are these forests for? They are simply absorbing the moisture and nothing else; only destruction is going on here by wild animals and nothing else; so if you do not remedy our grievances we will not pay taxes; and we are prepared to face the contingency.' This threat was expressed in the presence of the District Forest Officer again and again. I am sure the hon. the Law Member who has visited almost all the forests will realize what would be the terrible consequence of continuing the present forest policy. These District Forest Officers generally have no heart for villagers. I am sorry also to observe that the Revenue Department is siding with the Forest Department. I hope the Agricultural Department would come to our rescue. I would not place the administration of useless forests with the village panchayats under the Revenue Department. If the administration is transferred to the Revenue Department it will be nothing short of a transfer from King Log to King Stork. So for the benefit of humanity this resolution should be carried and the forest policy of the Government reformed in human interests."

The hon. the DEPUTY PRESIDENT:—"There is some amendment to this motion. It is already lunch time. The amendment was just handed to me and I will read it. It is left to the House to allow it or not. The amendment runs thus:—

"'Between the words "province" and "in regard to" in line 4 of the resolution *insert* the words "including proprietary forests into which the Madras Forest Act is extended.'"

The hon. Diwan Bahadur M. KRISHNAN NAYAR:—"I had no notice of this amendment. Forests in the proprietary areas are on a different footing from those directly under the Government."

The hon. the DEPUTY PRESIDENT:—"The amendment is not in order."

The Council then adjourned for lunch.

After lunch (2-30 p.m.)

XVI

ADJOURNMENT MOTION *RE* THE CARNATIC PAPER MILLS, LIMITED, RAJAHMUNDRY.

* Mr. K. V. R. SWAMI:—"Mr. President, Sir, I move for the adjournment of the business of the Council for the purpose of discussing a definite matter of urgent public importance, namely,

'*the question of recent negotiations and the interest that the Government have taken in the Carnatic Paper Mills, Limited, Rajahmundry.*'

"Sir, this question has come before this House more than once. But unfortunately matters have not advanced a bit. At the time of the budget debate I brought forward this matter before this House and I levelled two or three charges against the Government for which the hon. Mr. Moir was very cross with me and challenged me to repeat those accusations outside this